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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/720,225	11/25/2003	James Stewart McCormick	ALC 3099	4351

7590 04/17/2007  
KRAMER & AMADO, P.C.  
Suite 240  
1725 Duke Street  
Alexandria, VA 22314

EXAMINER
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NGUYEN, QUYNH H

ART UNIT	PAPER NUMBER
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2614

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/17/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

# Office Action Summary

Application No.

10/720,225

Applicant(s)

MCCORMICK ET AL.

Examiner

Quynh H. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 25 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 15-19 is/are rejected.
- 7) ☒ Claim(s) 11-14 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The information disclosure statement (IDS) submitted on 11/25/03 was received. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-10 and 15-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Boehmke et al. (U.S. Patent 6,788,933) in view of Liu et al. (US Patent 6,170,067).

As to claim 1, Boehmke et al. teaches a method for recording call failure information in a data transmission system (abstract; col. 3, lines 37-39) comprising:

generating a failure log in response to a failure event (col. 18, lines 26-32), and placing call records in a queue in the order in which it was time stamped (col. 31, lines 26-32);

formulating an identifier for the first failure log based on said failure type (col. 17, lines 12-26 - *where Boehmke discussed call failures are sorted based on directory*

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*number, cellular telephone number, hence an identifier / telephone number for the call failure was formulated); and*

creating a log record for said first failure log (col. 18, lines 3-11 - *where Boehmke discussed query log record database 22 for call failures, hence log record was created earlier*) and storing said log record in a log record storage (col. 3, lines 58-59).

Boehmke et al. does not explicitly teach the failure log including a failure type and a first timestamp.

Liu et al. teaches generating a failure log in response to a failure event and the failure log including a failure type and a first timestamp (col. 5, lines 36-43).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Liu into the teachings of Boehmke for the purpose of having a more efficient system and keeping track of reports the occurrence of the events, as discussed by Liu (col. 6, lines 3-5).

As to claim 2, Liu et al. teaches a log record comprises a timestamp field for storing the timestamp (col. 5, lines 36-43) and a count field for storing a count indication the number of log records generated by the failure event (col. 2, lines 63-65).

Claim 3 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Liu et al. teaches updating the log record and the log record storage to document the current timestamp (col. 14, lines 35-39).

As to claims 4 and 10, Liu et al. teaches incrementing the count to indicate the current number of failure logs with the identifier that have updated the log record (col. 5, line 63 through col. 6, line 5).

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As to claim 5, Boehmke et al. teaches formulating an identifier comprises processing selected fields in the failure log (col. 17, lines 12-22).

As to claims 6-9, Boehmke et al. teaches call log table 100 having fields (col. 14, lines 21-40). However, Boehmke et al. does not explicitly teach the selected fields include and failure reason field, a failure point field, a calling party identification field, a called party identification field and a proprietary failure reason field; and applying crc type checksum function over selected fields. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the above mentioned features into the teachings of Boehmke for the purpose of having a more efficient and better system.

Claim 15 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Liu et al. teaches a log queue (system log 117); a log record storage for storing the log record (col. 5, lines 36-43).

As to claim 16, Liu et al. teaches updating the log record in the log record storage (col. 14, lines 35-39).

Claims 17-18 are rejected for the same reasons as discussed above with respect to claim 3. However, Boehmke and Liu do not teach a filter is configurable for selecting a number of fields in the failure log. It would have been obvious to one of ordinary skill in the art at the time the invention was made that a configurable filter in any logs is well known and the advantage of using this filter is also well known. For example, filtering out certain important fields in the log for statistics purposes.

Claim 19 is rejected for the same reasons as discussed above with respect to claims 15 and 17.

***Allowable Subject Matter***

4. Claims 11-14 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As to claims 11 and 14, the prior arts of record fail to teach, or render obvious, alone or in combination a method for recording call failure information in a data transmission system comprising the claimed means and their components, relationships, and functionalities as specifically recited in claims 11 and 14 as follow: generating a failure log in response to a failure event, and placing call records in a queue in the order in which it was time stamped; formulating an identifier for the first failure log based on said failure type; and creating a log record for said first failure log and storing said log record in a log record storage, wherein the step of formulating an identifier comprises: selecting *n* fields in the failure log, according to the failure type; selecting a plurality of functions, a function for each said failure type, each function providing a unique result when applied to a data configuration; and applying to the data comprised in said *n* fields a function corresponding to the failure type in the failure log.

Claims 12-13 are objected because they depend on objected claim 11.

***Conclusion***

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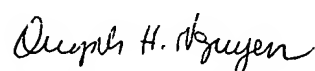
5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Boehmke (US Patent 6,792,269) teaches system, method and apparatus for tracking deployment of cellular telephone network cites.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 571-272-7489. The examiner can normally be reached on Monday - Thursday from 6:30 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on 571-272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

qhn



Quynh H. Nguyen  
April 16, 2007